



MONTHLY HIGHLIGHTS

NOAA
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
HABITAT CONSERVATION DIVISION

December 2003

GLOUCESTER, MA OFFICE, ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930

PIER- RAMP- FLOATS A CUMULATIVE THREAT TO SHALLOW WATER RESOURCES

For December, 24 of 33 permit applications reviewed at the Army Corps of Engineers (ACOE) joint processing in Maine were for new piers and ramps, expansion of commercial piers, or after-the-fact authorization of existing structures. Kittery saw the greatest number of new structures (5); seven including two after-the-fact authorizations. As proposed, several of the proposed floats would rest on the substrate at low tide during the most productive season of the year. Although impacts associated with floats resting on the mud are not fully defined, some direct and indirect impacts on habitat are clear. As noted during site visits during the summer and fall, floats with and without skids sink into soft mud. Those with skids may take longer to sink, but eventually do. When resting on soft mud, the area around skids erode, diminishing the benefits of the skids. This action may create a small exclusion area where clams, worms, and other aquatic species cannot survive. Skids have been noted to minimize impacts in areas with hard substrate such as cobble or rock. Although most floats are seasonal and impacts considered temporary, they are in place during the highly productive summer season. Impacts can persist after the floats are removed. Impressions of the float have been seen a month or more after removal, depending on substrate type and system characteristics. And this does not take into account secondary impacts associated with the storing and use of recreational vessels. Prop dredging, grounding of the vessel, and incidental fuel spills pose additional threats to the resources. Where water remains shallow for much of the tide cycle, further impacts on resources (e.g., eelgrass) can occur during vessel use associated with the new structure. NOAA Fisheries provides recommendations to the ACOE to prevent floats from grounding out at all tides, including the use of float stops; however, local by-laws guiding construction of pier, ramp, and floats on the coast may be the best method for protecting valuable local resources such as soft-shell clams, marine worms, and eelgrass meadows. (sean.mcdermott@noaa.gov, 978/ 281-9113)

NEW HCD EMPLOYEE

HCD would like to welcome its newest employee, Marcy Scott. Marcy is a member of the Essential Fish Habitat (EFH) team in Gloucester, MA. She hails from the deep south, originally from Atlanta, Georgia. She has an educational background in both marine science and ecology. Although she may be new to the region, she is not new to federal employment. She has worked in several agencies under the USDA, including the Forest Service, and most recently at an aquaculture research facility for the Agricultural Research Service. As part of the EFH Team, she will be working on

regional/programmatic EFH consultation issues as well as providing technical and policy support to the fishery management councils. Marcy states, "I look forward to becoming a productive member of the HCD team and hope that I can add a new perspective to many regional issues."

(Lou.Chiarella@noaa.gov, 978/ 281-9277 or Marcy.Scott@noaa.gov, 978/ 281-9108)

JAMES J. HOWARD MARINE SCIENCES LABORATORY, HIGHLANDS, NJ 07732

NEW JERSEY ARTIFICIAL REEF PROGRAM

On December 3 Stan Gorski and Frank Steimle (NEFSC-SH) traveled to Trenton, NJ to attend the initial meeting of the Technical Reef Advisory Committee (TRAC). Also in attendance was Marc Matsil (Assistant Commissioner, NJDEP), Dennis Suszkowski (Hudson River Foundation), Angela Cristini (Ramapo College), Mike Bruno (Stevens Institute of Technology), Jeff Tinsman (Delaware Fish and Wildlife), Jose Fernandez, Kurt Powers, Bill Figley, and Tom McCloy (New Jersey Fish and Wildlife). The purpose of the meeting was to determine how to monitor the artificial fishing reefs made up of recently deployed New York City subway cars. (Stanley.W.Gorski@noaa.gov, 732/ 872-3037)

MEADOWLANDS INTERAGENCY MITIGATION ADVISORY COMMITTEE (MIMAC)

The primary focus of the December 16 meeting was to develop a tracking system for all mitigation projects reviewed by the MIMAC. Currently, the projects at the MRI bank and at the New Jersey Meadowlands Commission's (NJMC) Mill Creek site are tracked in a spreadsheet format. The new spreadsheet system will include all mitigation in the Meadowlands, and it will identify habitats based upon the Cowardin system. Also, the enforcement section of the New York District, ACOE will approve the Mill Creek site if NJMC completes some additional planting on the Port Authority's unallocated portion of the site. However, it is unlikely that the ACOE will approve of anyone else using the site. The ACOE will probably sign off on the Harrier Meadow site soon as well.

The ACOE and NJMC agreed to spend the remaining money from the mitigation fee fund on a Rutgers recommended *Phragmites* control measure. The MIMAC would prefer to see the water flow improved by installing appropriate culverts under the PSEG right-of-way/trail, but it is unlikely that this will be required. Also discussed was the issue of radio towers in the Meadowlands. The site the ACOE and the NJMC are currently considering is the Metromedia site along the Hackensack River adjacent to the MRI bank. Thirty-five acres are subject to a lease by Bloomberg Information Systems, Inc. They have radio towers on a portion of the 35 acres. NJMC wants to put towers on some of the property purchased with money received from the Johnson Controls violation settlement. Lastly, it was mentioned that all of the ACOE districts are working on mitigation guidance in response to the recent National Academy of Science study of the ACOE's mitigation record and in accordance with Regulatory Guidance Letter No 02-2 issued on December 24, 2002. The New York District's draft document will be out soon and it will include much of what the MIMAC and the State of New Jersey already do. (Karen.Greene@noaa.gov, 732/ 872-3023)

NEW YORK HARBOR SENIOR PARTNERS MEETING

HCD staff attended the monthly senior partners meeting held at the New York District, ACOE. Colonel O'Dowd announced that he had received his new orders and that the command of the New York District will be changing in mid-May. The Colonel will be the commander of the new ACOE District in Afghanistan beginning in June 2004. Colonel O'Dowd was one of the best District

Engineers we have ever dealt with and he will be missed by all. Other issues included the need for blasting in the South Elizabeth Channel. The ACOE has encountered some unexpected rock at the mouth of the Channel and would like to remove the material in February.

In the near future, the ACOE will schedule a meeting with NMFS and the New Jersey Department of Environmental Protection (NJDEP) to discuss the seasonal restrictions in the area. Fresh Kills landfill may be opening up to take dredged material from the Arthur Kill areas 2 and 3. One issue that may present a problem is the potential dredging at the entrance channel to the landfill. For the most part, the depths should be sufficient to allow barge access except right up by the bulkhead. To obtain the needed depths, approximately 6,000 to 10,000 cubic yards of material may need to be dredged. Significantly more could be required (27,000 cy) if the contractor wants to bring in even bigger barges. The New York City Sanitation Department will be the applicant for any permits for the site. Also, the ACOE has received some interim information on the habitat restoration project associated with the Port Jersey deepening project. They will arrange a meeting with the resource agencies in a month or two to discuss the project. The comment period for the Draft Limited Reevaluation Report has closed. A request for an extension by the Department of Interior was turned down. Comments were received from NJDEP, NYDEC, NMFS, and the Baykeeper. Lastly, one-on-one meetings were recently held with prospective sand miners for the Ambrose Channel. The ACOE is hoping to have all the approvals lined up by mid next year. They will ask the states for general permits. It is possible that Amboy Aggregates, Inc. could take several million cubic yards of sand out of the Ambrose Channel in advance of the federal project. This will save the government both time and money. (Karen.Greene@noaa.gov, 732/ 872-3023)

HURRICANE AND STORM DAMAGE REDUCTION PROJECT - UNION BEACH

The New York District, ACOE recently issued the Notice of Availability of the *final Feasibility Report* (FR) and the *final Environmental Impact Statement* (FEIS) for the Raritan Bay and Sandy Hook Bay, Hurricane and Storm Damage Reduction Project, Union Beach, Monmouth County, New Jersey. The documents discuss the ACOE's proposal to construct levees, floodwalls, storm gates, pump stations, groins, revetments, and other structures in the town of Union Beach in order to minimize storm damage. The project also includes beach nourishment and the dredging of sand from four potential new borrow area in the Raritan-Sandy Hook Bay area (Keyport, Union Beach, and Port Comfort) and at the False Hook Shoal just east of Sandy Hook. HCD provided extensive comments on the proposal, including some deficiencies in the draft EIS, as well as concerns about the project's impacts on federally managed species and their essential fish habitat. The FEIS did not address these comments. HCD will consult with the ACOE and provide recommendations on the project's potential impacts to EFH and endangered and threatened species. [Karen.Greene@noaa.gov, 732/ 872-3023 or Julie.Crocker@noaa.gov, 978/ 281-9328 (for ESA issues)]

COLUMBIA GAS TRANSMISSION:

Habitat staff is coordinating on resource issues for the Columbia Gas Transmission's 1278 Pipeline that would replace a 42-mile section of the pipe that extends from Easton (Northampton County) to Milford (Pike County), PA. As provided by the Federal Energy Regulatory Commission, a temporary additional 25-foot right-of-way (ROW) would need to be added to the existing 50-foot wide ROW for construction and staging equipment. In addition, because the Pennsylvania Department of Transportation (PADOT) is relocating a portion of Route 209 in Marshall's Creek, one mile of the existing ROW will be relocated. (Anita.Riportella@noaa.gov, 732/ 872-3116)

MILFORD, CT OFFICE, 212 ROGERS AVENUE, MILFORD, CT 06460

TECHNICAL SUPPORT GUIDANCE FOR COASTAL HABITAT RESTORATION

Staff recently received a habitat restoration technical support manual that was prepared as part of the implementation of the Long Island Sound Study (LISS) Comprehensive Conservation and Management Plan (CCMP). This document is the product of the LISS Habitat Restoration Work Group and is designed to provide basic technical information for individuals interested in planning and pursuing a habitat restoration project in Long Island Sound (LIS). The guide lists twelve priority habitat types for LIS: tidal wetlands; freshwater wetlands; submerged aquatic vegetation; coastal grasslands; coastal barriers, beaches, and dunes; riverine migratory corridors; intertidal flats; estuarine embayments; coastal and island forests; shellfish reefs; cliffs and bluffs; and rocky intertidal zones. Discussions of the issues have been prepared for the first five topics and are available as sections of the manual. The balance is planned as future manual sections. The report is available electronically at the LISS webpage (www.longislandsoundstudy.net/habitat).

(Diane.Rusanowsky@noaa.gov, 203/ 882-6504)

NEW FERRY TERMINALS PROPOSED IN THE EAST AND HARLEM RIVERS

Staff are coordinating with the New York District, ACOE on a proposal by the New York City Economic Development Corporation to construct five ferry landings in the Borough of Manhattan at Battery Maritime Building: East 34th Street; East 62nd Street; East 75th Street; and East 90th Street. These terminals are proposed to promote and facilitate ferry service along the eastern shoreline of Manhattan. (Diane.Rusanowsky@noaa.gov, 203/ 882-6504)

EASTCHESTER PROJECT UPDATE

Coordination with the ACOE and Iroquois Gas Transmission System was re-initiated for the subject project, a natural gas transmission project between Northport, Long Island, New York and the Bronx. The additional coordination was necessitated by certain project delays, including replacement of a portion of the original alignment. Milford Field Office staff are reviewing the matter and will respond to the New York District, ACOE before the end of calendar year 2003.

(Diane.Rusanowsky@noaa.gov, 203/ 882-6504)

MILLENNIUM PIPELINE UPDATE

The consistency appeal of Millennium Pipeline from an objection by the State of New York was decided on 12 December 2003 when Commerce Secretary Donald Evans upheld New York State's objection pursuant to the Coastal Zone Management Act (CZMA). A copy of the Secretary's decision and findings is available electronically at <http://www.ogc.doc.gov/czma.htm>.

(Diane.Rusanowsky@noaa.gov; 203/ 882-6504)